

Remarks

Applicant has carefully reviewed this Application in light of the final Office Action sent 13 September 2007. Applicant respectfully requests reconsideration and allowance of all pending claims.

Independent Claims 1, 7, 13, and 19-20 are Allowable Over *Miller*

The Examiner maintains the rejection of independent Claims 1, 7, 13 and 19-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2006/0235732 by Miller et al. ("Miller").

In the final Office Action, the Examiner attempts to demonstrate that, contrary to Applicant's previous arguments, *Miller* discloses each and every limitation of independent Claim 1. Independent Claims 7, 13, and 19-20 are similar to independent Claim 1. Applicants still respectfully disagree with the Examiner.

The Examiner asserts that the multiple repository system in *Miller* may be properly considered *a database associated with the server system*, as independent Claim 1 recites. However, the multiple repository system in *Miller* merely contains stored templates that users can access to compose documents through the stored templates. (Figures 11A-11-B and 14; Paragraph 0280 and 0310-0311). Nonetheless, the Examiner identifies various steps of a Software Engineering Process Group (SEPG) project execution process in *Miller* and asserts that these steps are contents of the multiple repository system in *Miller* which may be properly considered, as independent Claim 1 recites, *first resources specifying a plurality of tasks to be performed within the process and specifying for each task one or more of:*

- *a description of the task;*
- *a description of how the task relates to the standard;*
- *one or more activities to be performed for the task;*
- *which personnel should perform the activities for the task;*
- *one or more deliverables to be generated for the task;*
- *one or more expected artifacts according to which the process will be measured against the standard; and*
- *an expected time to complete the task.*

Even assuming for the sake of argument that the steps in *Miller* identified by the Examiner could be properly considered *specifying for each task*, as independent Claim 1 recites, which is not at all clear, *Miller* would still fail to disclose, teach, or suggest that the multiple repository system in *Miller* contains any of those steps, much less each and every one.

As Applicant has previously discussed, “[t]o anticipate, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim.” *Brown v. 3M*, 265 F.3d 1349, 1351 (Fed. Cir. 2001). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. ch. 2131 (Rev. 3, Aug. 2005) (quoting *Verdegaal*, 814 F.2d at 631). Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the patent claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. ch. 2131 (Rev. 3, Aug. 2005) (quoting *Richardson*, 868 F.2d at 1236). Furthermore, “[t]he elements must be arranged as required by the claim.” M.P.E.P. ch. 2131 (Rev. 3, Aug. 2005) (citing *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990)). As shown above, *Miller* fails to disclose, either expressly or inherently, each and every limitation of independent Claim 1. Therefore, *Miller* does not anticipate independent Claim 1 under governing Federal Circuit case law and the M.P.E.P.

For at least the above reasons, Applicant respectfully requests reconsideration and allowance of independent Claims 1, 7, 13, and 19-20 and all their dependent claims.

Conclusion

For at least the foregoing reasons, Applicant respectfully requests allowance of all pending claims.

If a telephone conference would advance prosecution of this Application, the Examiner may call Travis W. Thomas, Attorney for Applicant, at 214.953.6676.

The Commissioner may charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts LLP.

Respectfully submitted,

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